



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,952	02/21/2002	Samir Khazaka	010301	6579
23696 7590 08/07/2007 QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			EXAMINER ROSWELL, MICHAEL	
			ART UNIT 2173	PAPER NUMBER
			NOTIFICATION DATE 08/07/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com
kascanla@qualcomm.com
nanm@qualcomm.com

Office Action Summary

Application No.

10/080,952

Applicant(s)

KHAZAKA, SAMIR

Examiner

Michael Roswell

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-20, 22-35 and 37-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-20, 22-35 and 37-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 May 2007 has been entered.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 16, 31, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura et al (US Patent 6,189,056), hereinafter Ogura, and Naughton et al (US Patent 6,020,881), hereinafter Naughton.

Ogura teaches loading an application on a communication device, taught as the transfer of data to an "IBM ChipCard VW-200", that is used as a memory card when connected to a PC, and behaves as a PDA when it is removed from the PC's card slot, at col. 2, lines 29-41.

However, Ogura fails to explicitly teach emulating a user interface for the application on the host device, wherein the emulated user interface generally corresponds in appearance to the user interface on the communication device, and executing the application only on the communications device.

Naughton teaches a graphical user interface (GUI) for the control of networked devices, including "intelligent devices" similar to the ChipCard of Ogura. Furthermore, Naughton teaches

Art Unit: 2173

providing a user interface for an application on the host device (see col. 17, lines 11-42), and executing the application on the communications device (col. 9, lines 10-17). Furthermore, the emulated interface of Naughton can be said to generally correspond in appearance to the user interface on the communications device, as can be seen in the similarities of the Thermostat 155 and the emulated interface 171 in Figs. 22a and 22b, and at col. 29, lines 32-59.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Ogura and Naughton before him to modify the system of Ogura to include the networked device control of Naughton.

One would have been motivated to make such a combination for the advantage of controlling a remote device from a central user interface to provide an intuitive and simple system for such control. See Naughton, col. 1, lines 11-16.

Claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35, 37-40, 42-45, 47-54, and 56-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura, Naughton, and U.S. Patent Application Publication 2001/0041973 (Abkowitz et al).

Referring to claims 2, 17, 32, and 47, Ogura and Naughton disclose the method and apparatus of claims 1, 16, 31, and 46 as explained above but fails to disclose emulating a device display area in conjunction with said user interface. Abkowitz, however, discloses in Figure 1 a user interface [100] provided by a management device, which comprises a device display area [120] pertaining to an associated communication device. Abkowitz further explains in paragraphs 14 and 15 that his invention allows users to more conveniently view and change how information will be displayed on communication devices with limited or different display capabilities. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Abkowitz's device display area with the host user

interface of Ogura and Naughton because the combination would have advantageously allowed users to view and modify how an application would have been displayed on a communication device with limited or different display capabilities.

Referring to claims 3, 18, 33, and 48, Abkowitz discloses in paragraph 31 that the device display area [120] is provided in a frame [130] of a web page [100]. Said web page is inherently displayed on display [712] of the management device [700] in Figure 7.

Referring to claims 4, 19, 34, and 49, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 5, 20, 35, and 50, Abkowitz discloses in Figure 5 that a graphics display area [550] is emulated within said device display area [520].

Referring to claims 7, 22, 37, and 51, Abkowitz discloses in Figure 5 and further explains in paragraph 46 that output of an executing application is routed to the graphics display area [550].

Referring to claims 8, 23, 38, and 52, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 9, 24, 39, and 53, Abkowitz discloses in paragraph 45 that the user can configure the display capabilities of the graphics display area.

Referring to claims 10, 25, 40, and 54, Abkowitz discloses in Figure 5 that a user interface area [550] is provided within said device display area [520].

Referring to claims 12, 27, 42, and 56, Abkowitz discloses in Figure 1 that the user input display area corresponds in appearance to a mobile communication device.

Referring to claims 13, 28, 43, and 57, Abkowitz discloses in paragraph 45 that the user can configure the layout of the user input area.

Referring to claims 14, 29, 44, and 58, Abkowitz discloses in paragraph 46 that the act of emulating the device display area is mirroring the display of said communication device.

Referring to claims 15, 30, 45, and 59, Abkowitz discloses in paragraph 46 that the act of emulating the device display area is mirroring the actions of said communication device.

Claims 11, 26, 41, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura, Naughton, and Abkowitz, as applied to claims 10, 25, 40, and 54 above, and further in view of Paroz (US Patent 6,587,125).

Ogura, Naughton and Abkowitz disclose the method and apparatus of claims 10, 25, 40, and 54 as explained above, but fail to disclose routing user input provided in the user input area to said communication device. Paroz, however, discloses in col. 3; lines 48-67 and col. 4, lines 1-2 a method and apparatus for controlling a first computing device from a second computing device wherein a user interface is generated on the second computing device that is logically equivalent to the user interface on the first computing device. The equivalent user interface

then enables control of the first computing device in an intuitive manner by routing user input from the second computing device to the first computing device. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to route user input from a host device to a communication device as taught by Paroz in combination with the teachings of Ogura, Naughton and Abkowitz because it would have been beneficial to interact with the communication device using an equivalent but more accessible interface.

Response to Arguments

Applicant's arguments filed 22 May 2007 have been fully considered but they are not persuasive.

Applicant's arguments of pages 9-11 center around the premise that Ogura and Naughton fail to teach the claimed limitation of, "the emulated user interface generally corresponds in appearance to the user interface on the communication device". The examiner respectfully disagrees. As cited above, "the emulated interface of Naughton can be said to generally correspond in appearance to the user interface on the communications device, as can be seen in the similarities of the Thermostat **155** and the emulated interface **171** in Figs. 22a and 22b, and at col. 29, lines 32-59." It can plainly be seen from Figs. 22a and 22b that the emulated interface **171** of Fig. 22b at least generally reflects the actual interface of the Thermostat **155**.

Furthermore, the examiner respectfully disagrees with Applicant's assertion that as Naughton teaches an "ideal" interface, that such a teaching precludes the user from experiencing the actual user interface on the device. There is no teaching in Applicant's citation of Naughton (col. 24, lines 28-29) that specifically states that an emulated interface be necessarily different from that of an actual interface, only that it be "an ideal graphical user

Art Unit: 2173

interface for controlling remote devices". Contrary to Applicant's belief, Naughton discloses at col. 9, lines 61-64 that, "in order to create a new product that is easy to use, product designers attempt to make the new product operate in a manner similar to an old product that the intended operator already knows how to operate." Further, at col. 10, lines 15-17, Naughton states, "to design a graphical user interface that is easy to navigate, designers should organize the graphical user interface with a structure that most users already understand". Therefore, Naughton can at least be said to teach the motivation for implementing a user interface at least generally representative of that of a communications device, as it would be familiar to a user and thus easy to navigate and understand.

Conclusion

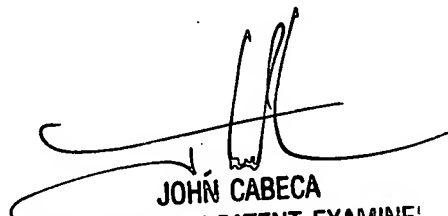
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell
7/30/2007



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100